

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND
TRADEMARK OFFICE (REV 10-94)

ATTORNEY'S DOCKET NUMBER

VANASSETL.NEW1

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO.

0977980092

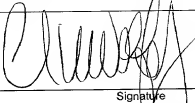
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/GB00/02008	25 May 2000	2 June 1999
TITLE OF INVENTION	BALL GAME APPARATUS	
APPLICANT(S) FOR DO/EO/US	Jan Abraham VAN ASSETL	

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(i).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application is filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An **unexecuted** oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98, with copy of International Search Report, completed form PTO-1449 & copies of documents cited therein.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment w/Abstract.
 ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Copies of: Form PCT/RO/101 (PCT Request); WO 01074801 (PCT/GB00/02008 as published, which includes the International Search Report); Form PCT/IPA/416 (Notification of Transmittal of the International Preliminary Examination Report); Forms PCT/IPEA/409 (International Preliminary Examination Report with annexes)

U.S. APPLICATION NO. 097980092		INTERNATIONAL APPLICATION NO. PCT/GB/02008		ATTORNEY'S DOCKET NO. VANASSETT.NEW1	
17. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY			
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):					
Search Report has been prepared by the EPO or JPO (37 CFR 1.492(a)(5))				\$840.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482)				\$670.00	
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))				\$760.00	
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO				\$1,000.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)				\$ 96.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$840.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
				\$	
CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE	
Total Claims	14	- 20 =	0	X \$18.00	\$0.00
Independent Claims	1	- 3 =	3	X \$80.00	\$0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$260.00	\$n/a
TOTAL OF ABOVE CALCULATIONS =					\$840.00
Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed (Note 37 CFR 1.27).					\$420.00
SUBTOTAL =					\$420.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
TOTAL NATIONAL FEE =					\$420.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28,3.31). \$40.00 per property				+	\$n/a
TOTAL FEES ENCLOSED =					\$420.00
Amount to be refunded:					\$
charged:					\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 420.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-2185 . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
CUSTOMER NO.: 002779					
BLANK ROME COMISKY & MCCAULEY LLP					
900 - 17th Street, N.W., SUITE 1000					
Washington, D.C. 20006					
					
Signature					
NAME		Charles R. Wolfe, Jr.			
Registration No.		28,680			
Date		November 30, 2001			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
U.S. PCT DESIGNATED/ELECTED OFFICE (DO/EO/US)

In re U.S. National Stage Appln. of :
):
Jan Abraham VAN ASSELT :
):
Serial No.: Unknown :
):
Filing Date: November 30, 2001 :
):
I.A. No. PCT/GB00/02008 : Attorney Docket: VANASSELT.NEW1
):
I.A. Filing Date: 25 May 2000 :
):
Priority Date: 2 June 1999 :
):
For: BALL GAME APPARATUS :

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to an examination on the merits of the above-referenced U.S. national stage patent application, and any calculation of filing fees, please amend this application as follows.

IN THE ABSTRACT:

Please add the attached Abstract of the Disclosure to the application, after the claims, as page 11.

IN THE CLAIMS:

Please cancel Claims 1-24 without prejudice or disclaimer, and add the following new claims in place thereof.

--25. Apparatus for improving the skill of a sports person which comprises two upwardly inclined side by side diverging guideways, a substantially inelastic reciprocating line connected to and freely movable along said guideways, whose length is equal to or greater than the minimum spacing of the guideways and less than the maximum spacing of the guideways and a ball connected to and generally coaxial with said reciprocating line.

26. Apparatus as claimed in Claim 25, wherein one end of each of the two guideways is secured or securable at ground level by an anchorage.

27. Apparatus as claimed in Claim 26, wherein the anchorage comprises a stake or ground pin.

28. Apparatus as claimed in Claim 27, wherein the other end of each of the two guideways is attached to a stable support.

29. Apparatus as claimed in Claim 25, wherein means are provided for varying the length of the guideways and/or their angle of inclination above ground level.

30. Apparatus as claimed in Claim 25, wherein the reciprocating line is connected or connectable to the guideways through a slide.

31. Apparatus as claimed in Claim 30, wherein the slide comprises a hinged clip, ring, rope slide or adjustable loop.

32. Apparatus as claimed in Claim 25, wherein one or both guideways and/or the reciprocating means are made of a low friction material.

33. Apparatus as claimed in Claim 32, wherein the material comprises a plastic-covered cord or wire.

34. Apparatus as claimed in Claim 25, wherein one or both guideways are made of a substantially rigid material.

35. Apparatus as claimed in Claim 34, wherein one or both guideways takes the form of a plastic track which is capable of receiving a runner to which the reciprocating means is connected.

36. Apparatus as claimed in Claim 25, further comprising tensioning means for varying the tension of the or each guideway.

37. Apparatus as claimed in Claim 36, wherein the tensioning means comprises a reeling mechanism.

38. Apparatus as claimed in Claim 25, further comprising a backboard or target at which the user of the apparatus may aim when hitting the ball.--

REMARKS

By the foregoing amendments, an Abstract has been added to the specification. Applicant wishes to point out that this Abstract is identical to the Abstract translated and published by WIPO in International Publication No. WO 00/74801 (which application corresponds to the subject application).

In addition, Applicant has canceled original Claims 1-24 in favor of new Claims 25-38. These new claims correspond to the claims submitted on June 8, 2001, and which are the subject of the International Preliminary Examination Report, except that they have been amended to delete the multiple dependency and reduce the filing fee. In addition, other slight modifications were made in order to place the claims in line with more conventional U.S. claim language.

Applicant also wishes to point out that the enclosed specification incorporates amended sheets 2-5 which were also filed on June 8, 2001. The enclosed specification containing these amended sheets is the same specification on which the International Preliminary Examination Report was based.

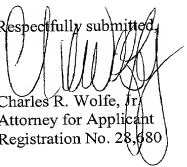
Applicant retains all rights to the subject matter covered by the canceled multiple dependent claims by making these claims directly dependent on a single claim. The subject matter now not included in these claims may be reintroduced as multiple dependent claims or as separate independent or dependent claims in the present application or in a continuation and/or divisional application.

Finally, Applicant understands that, under the procedures of the PCT, a copy of the priority document (GB 9912764.1 filed 2 June 1999) has been supplied to the U.S. Patent & Trademark Office pursuant to Rule 17 of the PCT Regulations. It is, therefore, respectfully

requested that the first Official Action in the present application contain an indication that the appropriate priority documents are in the file of this application.

Prompt, favorable action on the subject application, as presently amended, is earnestly solicited.

Respectfully submitted,


Charles R. Wolfe, Jr.
Attorney for Applicant
Registration No. 28,680

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Date: November 30, 2001

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Attorney Docket No.: VANASSETT.NEW1

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Thus, there is a need to provide apparatus for simulating a golf or cricket swing or the like, to be used in a controlled manner in relatively small areas without concern over surrounding buildings and cars.

The present invention sets out to provide such apparatus.

Accordingly, in one aspect the invention provides apparatus for improving the skill of a sports person which comprises two upwardly inclined side by side diverging guideways, a substantially inelastic reciprocating line connected to and freely movable along said guideways, whose length is equal to or greater than the minimum spacing of the guideways and less than the maximum spacing of the guideways and a ball connected to said reciprocating line, the apparatus being characterised in that the ball is generally coaxial with the reciprocating line.

The term "substantially inelastic" as used herein applies to materials which have a very limited ability to stretch and change length when struck.

One end of each of the two guideways is typically secured or securable at substantially ground level, for example, to the ground via an anchor comprising, for example a stake or ground pin, or to a stable support. The other end of each of the two guideways is typically attached to a stable support. In particular, the stable support may be a wall, frame or a pole.

The length of the guideways and/or their angle of inclination above ground level may be varied in order to vary the type and/or difficulty of swing or stroke required. For example, if a user would like to simulate a drive swing, the guideways may be kept long and their angle of inclination low. For practising more lofted shots, the angle of inclination of the guideways may be increased.

Preferably, the supports are linked, for example by a rigid support bar, thereby ensuring that the guideways are maintained at a predetermined distance apart.

In this arrangement, when the reciprocating means is positioned at, or towards, the lower end of the guideways, a player may strike the ball and propel the reciprocating means forwardly and upwardly along the guideways. However, when the length of the reciprocating

means becomes limiting in relation to the distance separating the two guideways, the reciprocating means decelerates, stops and is deflected back along the guideways towards the player.

Importantly, the reciprocating means is made from a substantially inelastic material. Not only does this ensure that the ball maintains a controlled trajectory regardless of the angle at which the player hits the ball, but the relative inelasticity of the reciprocating means ensures its length becomes limiting in relation to the distance between the two guideways thereby deflecting the ball back to the player.

The invention also contemplates an embodiment wherein the reciprocating means comprises more than one substantially inelastic substantially horizontal line, for example, wherein the reciprocating means comprises one substantially inelastic substantially horizontal line connected to one guideway and another associated substantially inelastic substantially horizontal line connected to the other guideway.

The reciprocating means may be connected or connectable to the guideways through a slide which may comprise a hinged clip, ring, rope slide or adjustable loop.

In one embodiment one or both guideways and/or the reciprocating means are made of a low friction material such as plastics covered cord or wire. The guideways and the reciprocating means may be made of the same material.

Tensioning means may be provided for varying the tension of each guideway. This may comprise a reel connected to the respective anchor or support.

The invention also contemplates an embodiment wherein one or both guideways are made of a substantially rigid material. By substantially rigid it is meant relatively inflexible. Therefore, one or both guideways may take the form of a plastics track which is capable of receiving a runner to which the reciprocating means is connected.

The ball may be connected at any point along the reciprocating means.

The ball may be, for example, a cricket ball or a golf ball, or a simulated cricket or golf ball.

The guideways may be kept within retaining means when not in use. For example, the retaining means may take the form of a coil or spool around which the guideways may be wound. The retaining means may comprise an automatic reeling mechanism for the guideways. In such an embodiment, the user would unwind a length of each guideway, and secure each guideway by one end to a base, e.g. to the ground, to ensure that the automatic reeling mechanism does not rewind the guideways.

In one embodiment, the supports and/or the guideways and/or the retaining means may be attached or attachable to each other.

The retaining means may comprise an automatic reeling mechanism for the guideway.

The height and positioning of the lower ends of the guideways may be adjustable.

The guideways lie in a plane which is generally inclined thereto. One or each guideway may take the form of a string, rope or the like stretchable between two spaced supports. The line may be coated with or formed from a material having relatively low friction properties, for example a plastics material.

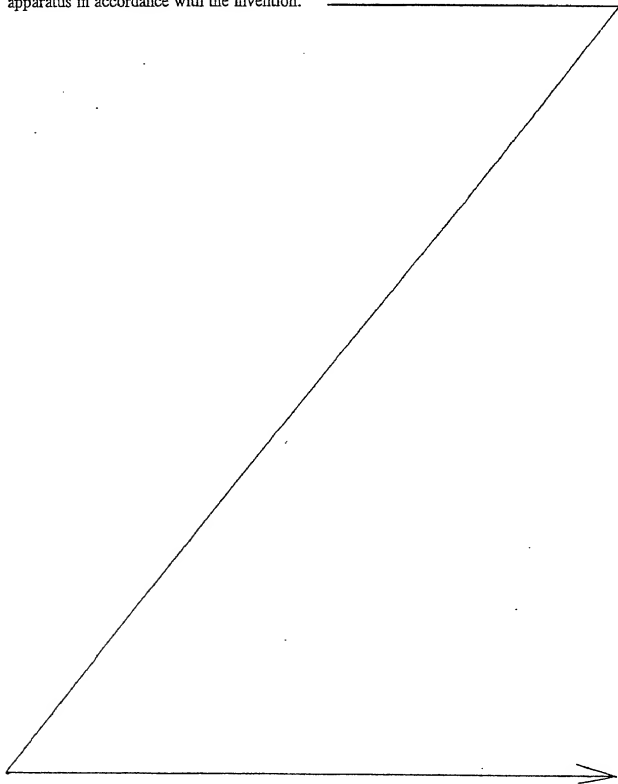
The substantially inelastic substantially horizontal line(s) may be connected to one and/or both guideways by a slide in the form of, for example, a loop or ring.

The apparatus may also comprise a backboard or target at which the user of the apparatus may aim when hitting the ball. The target may be placed at any position remote from of the lower end of the guideways.

The apparatus may also comprise buffering and/or deflecting means at any position along the guideways to return the reciprocating means back to the user after the ball is struck. The backboard or target may also act as a buffering and/or deflecting means.

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The invention will now be described by way of example only with reference to the following diagrammatic drawing in which the sole Figure is a side view in perspective of apparatus in accordance with the invention.



AMENDED SHEET

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The apparatus shown in the drawing takes the form of a golf training aid, especially for one player. The apparatus comprises two guideways 1, of plastics coated cord which are attached at their ends to supports 2 and anchorages 3, typically spaced approximately 10-12 metres apart. Typically, the heights of the supports 2 above ground level are two metres. The supports 2 are held in position by ground engaging metal supports 4. The height of each support is adjustable. A rigid support pole 5 maintains the tops of the supports 2 at a predetermined distance apart. The support pole 5 may be positioned at a lower height relative to the supports 2 if required. The guideways are fixed at ground level by anchorages in the form of ground pegs 3. A ball 6 is suspended by a substantially inelastic line 7 from the guideways. Each end of the line 7 is linked to the guideways by a loop or ring 8. The line 7 may be secured to the ball by stitching, stapling or any other means. In an alternative arrangement, two inelastic lines are used, one linking one side of the ball to one guideway, the other linking the other side of the ball to the other guideway.

When the training aid is in use, a player stands near the lowermost end of the guideways 1 at their point of connection to the ground pegs 3 and strikes the ball 6 with a golf club. The starting positions of the ball 6 and line 7 are shown in full line in the drawing. The force of the strike sends the line 7 and the ball 6 along the guideways 1 towards the limiting position shown in broken line 9. Once the distance between the ends of the line 7 becomes limiting in relation to the distance between the guideways, the line 7 slows down, stops and is deflected back along the guideways under gravity to return to the player who can then strike the ball again.

Winding and retaining means 11 may be included on either or both guideways to store the guideways 1 when not in use.

Whilst the apparatus is in use, the player may stand on a teeing-off mat 10 which may be made of any suitable material. Hence, the apparatus may be used on any surface, for example, grass, sand or concrete, and the user can still simulate conditions of play.

It will be appreciated that the foregoing is merely exemplary of embodiments of the invention and that modifications can readily be made without departing from the scope of the invention as set out in the appended claims. Thus, the supports 2 may be replaced by

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a frame comprising a pair of interconnected tripods to which the upper ends of the guideways are secured. A target or rebound board may be supported between the tripods in the path of trajectory of the ball.

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CLAIMS

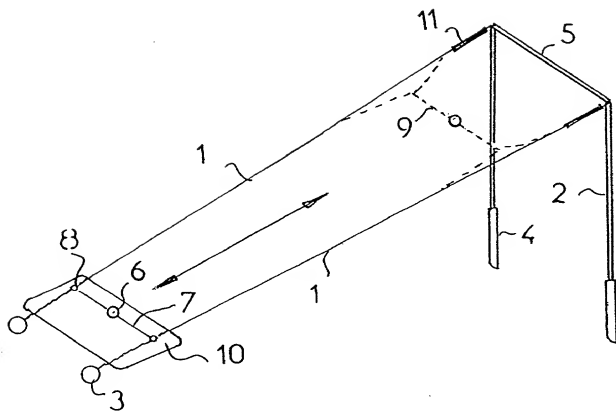
1. Apparatus for improving the skill of a sports person which comprises two upwardly inclined side by side diverging guideways (1), a substantially inelastic reciprocating line (7) connected to and freely movable along said guideways (1), whose length is equal to or greater than the minimum spacing of the guideways and less than the maximum spacing of the guideways and a ball (6) connected to said reciprocating line (7), the apparatus being characterised in that the ball (6) is generally coaxial with the reciprocating line.
2. Apparatus as claimed in claim 1 wherein one end of each of the two guideways is secured or securable at ground level by an anchorage 3.
3. Apparatus as claimed in claim 2 wherein the anchorage (3) comprises a stake or ground pin.
4. Apparatus as claimed in claim 3 wherein the other end of each of the two guideways is attached to a stable support (2).
5. Apparatus as claimed in any one of the preceding claims where means are provided for varying the length of the guideways and/or their angle of inclination above ground level.
6. Apparatus as claimed in any one of the preceding claims wherein the reciprocating line (7) is connected or connectable to the guideways through a slide.
7. Apparatus as claimed in claim 6 wherein the slide comprises a hinged clip, ring, rope slide or adjustable loop.
8. Apparatus as claimed in any one of the preceding claims wherein one or both guideways and/or the reciprocating means are made of a low friction material.
9. Apparatus as claimed in claim 8 wherein the material comprises as plastics covered



10. Apparatus as claimed in any one of the preceding claims wherein one or both guideways are made of a substantially rigid material.
11. Apparatus as claimed in claim 10 wherein one or both guideways takes the form of a plastics track which is capable of receiving a runner to which the reciprocating means is connected.
12. Apparatus as claimed in any one of the preceding claims further comprising tensioning means for varying the tension of the or each guideway.
13. Apparatus as claimed in claim 12 wherein the tensions means comprises a reeling mechanism.
14. Apparatus as claimed in any one of the preceding claims further comprising a backboard or target at which the user of the apparatus may aim when hitting the ball.

2000年12月20日

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DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: BALL GAME APPARATUS

the specification of which

☐ is attached hereto

☒ was filed on 25 May 2000 as United States Application Number or PCT International

Application Number PCT/GB00/02008 and (if applicable) was amended on

I hereby authorize our attorneys to insert the serial number assigned to this application.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 USC §119

APPLICATION NO.	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
9912763.1	Great Britain	2 June 1999	Yes

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. §119(e)

APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under 35 U.S.C. §120 of any United States application, or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

PRIOR U.S./PCT INTERNATIONAL APPLICATION(S) DESIGNATED FOR BENEFIT UNDER 35 U.S.C. §120

APPLICATION NO.	FILING DATE	STATUS — PATENTED, PENDING, ABANDONED

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: Herbert Cohen, Reg. No. 25,109; Victor M. Wigman, Reg. No. 25,201; George C. Myers, Jr., Reg. No. 27,040; Donald R. Greene, Reg. No. 22,470; Michael C. Greenbaum, Reg. No. 28,419; Charles R. Wolfe, Jr., Reg. No. 28,680; Michael D. White, Reg. No. 32,795; Brian C. Jones, Reg. No. 37,657; David J. Edmondson, Reg. No. 35,126; Denise C. Lane, Reg. No. 42,780; Peter Weissman, Reg. No. 40,220; and Rafael Perez, Reg. No. 46,041.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of sole or first inventor (given name, family name) Jan Abraham VAN ASSELT	
Signature 	Date 2-January-2002
Residence 10 Stangrave Hall, Betchingley Road Godstone, Surrey RH9 8NB, GREAT BRITAIN	Citizenship British GBN
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Full Name of additional joint inventor (given name, family name)	
Signature	Date
Residence	Citizenship
Mailing Address	
Full Name of additional joint inventor (given name, family name)	
Signature	Date
Residence	Citizenship
Mailing Address	
Full Name of additional joint inventor (given name, family name)	
Signature	Date
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Signature	Date
Residence	Citizenship
Mailing Address	
Full Name of additional joint inventor (given name, family name)	
Signature	Date
Residence	Citizenship
Mailing Address	
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.	

United States Patent & Trademark Office
Office of Initial Patent Examination -- Scanning Division



Application deficiencies found during scanning:

☒ Page(s) 10 of Specification were not present
for scanning. (Document title)

☐ Page(s) _____ of _____ were not present
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